

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Alejandro Mendoza**

Case Number: **2:15CR00116**

Name of Sentencing Judicial Officer: **Honorable Kent J. Dawson**

Date of Original Sentence: **December 6, 2017**

Original Offense: **Felon in Possession of a Firearm**

Original Sentence: **57 Months prison, followed by 3 years TSR.**

Amended Sentence: **Time Served; followed by 3 years TSR**

Date Supervision Commenced: **November 28, 2018**

Name of Assigned Judicial Officer: **Honorable Kent J. Dawson**

PETITIONING THE COURT

☒ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Commit Another Crime** - You must not commit another federal, state or local crime.
 - a. On March 2, 2020, Mendoza was arrested by the Las Vegas Metropolitan Police Department for Possession of a Controlled Substance (2 counts), Operating an Unregistered Vehicle, and Driving Without a Driver's License. At the time of the arrest, Mendoza was found in possession of 27.5 GGW of marijuana.
 - b. On March 2, 2020, a record check revealed Mendoza had two outstanding traffic warrants issued on November 26, 2019. The case is currently pending.

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2. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.
 - a. On October 7, 2019, Mendoza tested positive for methamphetamine.
 - b. On April 10, 2020, Mendoza admitted to consuming a Lortab pill. It should be noted that Mendoza does not have a valid prescription for the pain medication he consumed.
3. **Drug Testing** – You must submit to substance abuse testing to determine if you have used a prohibited substance. *Testing shall not exceed 104 tests per year.* You must pay the costs of the testing. You must not attempt to obstruct or tamper with the testing methods.

In total, Mendoza has failed to show for 15 drug/alcohol tests. Mendoza failed to report for required drug/alcohol testing on the following dates:

April 9, 2020
March 7, 2020
October 31, 2019
October 6, 2019
September 16, 2019
September 14, 2019
August 25, 2019
August 18, 2019
August 12, 2019
August 4, 2019
July 26, 2019
July 21, 2019
July 14, 2019
June 6, 2019
May 6, 2019

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U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **April 13, 2020**



Digitally signed by
Brianna M King
Date: 2020.04.13
14:55:13 -07'00'

Brianna King
United States Probation Officer

Approved:



2020.04.13
14:47:26 -07'00'

Joy Gabonia
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
☐ The issuance of a warrant.
☒ The issuance of a summons.
☐ Other:



Signature of Judicial Officer

April 13, 2020

Date

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. ALEJANDRO MENDOZA, 2:15CR00116**

**SUMMARY IN SUPPORT OF PETITION FOR SUMMONS
April 13, 2020**

On December 6, 2017, Alejandro Mendoza was sentenced by Your Honor to 57 months custody followed by 3 years supervised release for committing the offense of Felon in Possession of a Firearm. On November 27, 2018, his sentence was amended to credit for time served followed by 3 years of supervised release. Mendoza commenced supervision in the District of Nevada on November 28, 2018.

On October 29, 2019, almost a year after Mendoza commenced supervised release, a report was submitted to Your Honor advising that Mendoza had violated his release conditions by failing to show for required drug/alcohol testing and for admitting to the use of methamphetamine. Consequently, Mendoza was counseled on the importance of complying with drug/alcohol testing requirements and was referred to substance abuse treatment.

A second violation report was submitted to Your Honor on November 4, 2019, advising that Mendoza once again violated his release conditions by again failing to show for required drug/alcohol testing on October 31, 2019. Consequently, on November 7, 2020, the Court ordered the completion of Home Confinement with Location Monitoring for a period of 90 days. Mendoza completed his required Home Confinement with Location Monitoring on February 13, 2020.

A third violation report was submitted to Your Honor on March 20, 2020, advising that Mendoza violated his release conditions by obtaining new law violations. On March 2, 2020, Mendoza was arrested by the Las Vegas Metropolitan Police Department for two counts of possession of a controlled substance, operating an unregistered vehicle, and driving without a driver's license. Additionally, a record check revealed that Mendoza had two outstanding traffic warrants issued on November 26, 2019. Consequently, on March 24, 2020, the Court ordered the completion of Home Confinement with Location Monitoring for a period of 120 days. As of this date, this condition has not been satisfied.

As indicated in this petition, on April 10, 2020, Mendoza verbally admitted to the use of a Lortab pill without a valid prescription. It should be noted that a Lortab pill is an opioid based medication. Furthermore, on this same date, during a conversation with the undersigned officer, Mendoza indicated that he no longer wanted to participate in supervision and wished to return to custody.

Mendoza has been afforded multiple opportunities by the probation office to make a positive change in his life. Despite the opportunities afforded to him, he continues to violate his conditions of supervised release. It is evident through his actions he is no longer interested in

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participating in a term of supervised release. It is the undersigned officer's opinion that Mendoza is no longer amenable to a term of supervised release. Therefore, it is respectfully recommended that his term of supervised release be revoked.

Respectfully submitted,



Digitally signed by
Brianna M King
Date: 2020.04.13
14:49:28 -07'00'

Brianna King
United States Probation Officer

Approved:



2020.04.13
14:47:50 -07'00'

Joy Gabonia
Supervisory United States Probation Officer